



November 28, 2017

Daniel Lovato, Supervisor
Plumas National Forest

Dear Mr. Lovato,

On behalf of the John Muir Project (JMP) of Earth Island Institute and the Center for Biological Diversity (CBD), we are submitting these comments on the proposed Pondo post-fire logging project. The project proposes to log 250 acres of post-fire habitat in the Ponderosa fire of 2017 through a Categorical Exclusion (CE).

An EA or EIS Must be Prepared

What was the cause of the fire? Was it possibly arson? The scoping notice does not say, but we are aware of the fact that an arsonist, who was an employee of the local logging industry (SPI), set several fires on the Plumas National Forest in 2017 (and was sentenced in early November 2017). This would make the project highly controversial, with potentially significant unknown risks, and with the potential for a troubling precedent for future actions. If this was an arson fire, selling a portion of the fire area to the logging industry would create an incentive for additional future arson fires, setting up and encouraging a sort of “light it and log it” situation on our national forests.

Moreover, the project documents do not explicitly state that there will not be a larger post-fire logging project that will be proposed and implemented after this CE in the same fire area. Therefore, we have to assume the possibility of cumulative effects, which would require an EA or EIS. Under NEPA, the Forest Service cannot avoid a finding of potential significance by segmenting what is effectively a single logging project into smaller component parts.

Further, please disclose the location of any California spotted owl territories that could potentially be impacted by the proposed logging, including but not limited to PACs and HRCAs. Recent data (see attached April 2017 comments to US Fish and Wildlife Service from spotted owl scientists) indicates a severe adverse impact to spotted owls as a result of post-fire logging, in terms of a substantial loss of occupancy when the “snag forest habitat” (created when mature forest experiences high-intensity fire) is removed by logging. This habitat has a high abundance of the owls’ small mammal prey. Due to these impacts to this declining Sensitive Species, an EA or EIS must be prepared.

Violations of the Migratory Bird Treaty Act

The proposal would violate the MTBA by targeting patches of snag-forest habitat (patches of standing snags) for clearcutting during nesting season, when the chicks of snag-dependent

cavity-nesting birds are in the nests but cannot yet fly away. During nesting season, logging of snag forests would directly kill chicks of cavity-nesting birds covered by the MTBA. The current proposed action alternatives contain no provisions to prevent such impacts.

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